

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA

Nathanael Leonard Reynolds) Civil Action No. _____
[Enter the full name of the plaintiff in this action]) (to be assigned by Clerk)

v.

COMPLAINT
State Prisoner

Sheriff Al Cannon;
SGT Luke; and
Officer Habershaw

Enter above the full name of defendant(s) in this action

Case: 1:16-cv-00089 Jury Demand
Assigned To : Unassigned
Assign. Date : 1/19/2016
Description: Pro Se Gen. Civil (F Deck)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise related to your imprisonment? Yes ☒ No ☐
- B. If your answer to A is Yes, describe the lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.

1. Parties to this previous lawsuit:

Plaintiff: Nathanael Leonard Reynolds

Defendant(s): Sheriff Michael Johnson, Chief Deputy Dudley Musser, Officer Watson

2. Court: Federal District of South Carolina
(If federal court, name the district; if state court, name the county)

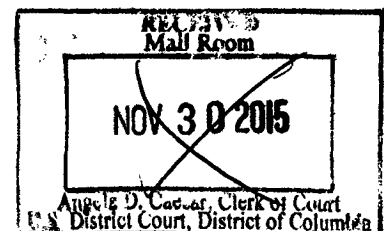
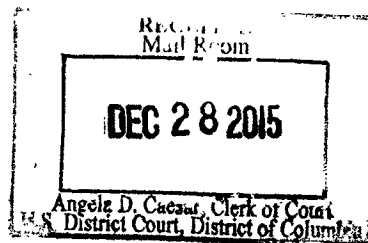
3. Docket Number: 1:15-CV-00388-MGL-SUN

4. Name(s) of Judge(s) to whom case was assigned: Judge Shiva V. Hodges

5. Disposition: Pending
(For example, was the case dismissed? Appealed? Pending?)

6. Approximate date of filing lawsuit: 02/4/15

7. Approximate date of disposition: N/A



II. PLACE OF PRESENT CONFINEMENT

- A. Name of Prison/Jail/Institution: Charleston County Detention Center
- B. What are the issues that you are attempting to litigate in the above-captioned case? Tampering of Mail and Cruel and unusual Punish and Due Process
- C. (1) Is there a prisoner grievance procedure in this institution? Yes ☒ No ☐
- (2) Did you file a grievance concerning the claims you are raising in this matter? Yes ☒ No ☐
- When N/A Grievance Number (if available) N/A
- D. Have you received a final agency/departamental/institutional answer or determination concerning this matter (i.e., your grievance)? Yes ☐ No ☒
- E. When was the final agency/departamental/institutional answer or determination received by you? No response
- If possible, please attach a copy of your grievance and a copy of the highest level decision concerning your grievance that you have received.*
- F. If there is no prison grievance procedures in this institution, did you complain to prison, jail, or institutional authorities? Yes ☒ No ☐
- G. If your answer is YES:
- What steps did you take? I wrote the South Carolina Jail association
 - What was the result? Authorities of the Jail stuffed my Mail

III. PARTIES

In Item A below, place your name, inmate number, and address in the space provided. Do the same for additional plaintiffs, if any.

- A. Name of Plaintiff: _____ Inmate No.: 1514748
- Address: 3841 Leeds Ave N. Charleston, SC. 29405

In Item B below, place the full name of the defendant, his official position, and place of employment in the space provided. Use Item C for additional defendants, if any.

- B. Name of Defendant: Al Cannon Position: Sheriff
- Place of Employment: 3841 Leeds Ave N. Charleston, SC. 29405

- C. Additional Defendants (provide the same information for each defendant as listed in Item B above):

SGT Luke; 3841 Leeds Ave N. Charleston, SC. 29405

Officer Habersham, 3841 Leeds Ave N. Charleston, SC. 29405

UNITED STATES DISTRICT COURTS OF COLUMBIA

IV. STATEMENT OF CLAIM

State here, as briefly as possible, the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach an extra sheet if necessary.

Plaintiff Nathanael Leonard Reynolds brings forth litigations of deprivations of Constitutional rights before this court. Plaintiff pleads affirmatively for the Federal Courts to find Jurisdiction in this Civil Suit. Plaintiff affirms that each defendant stated within this Civil Suit is a U.S. Citizen and resides in the State of South Carolina. Plaintiff makes several claims of his Constitutional deprivations within the "Sheriff Al Cannon Detention Center", located in Charleston South Carolina. Plaintiff claims that in late October 20th 2015 he was escorted by officials of the Charleston County Detention Center to speak personally with "SGT Luke", whom stated that he was directed by "Sheriff Al Cannon" to investigate the Plaintiff's Complaints of Grievs which the Plaintiff wrote and mailed a letter to the "Sheriff" as well as the "South Carolina Jail Association". Plaintiff states that his mail was turned in Friday night which would be delayed until the following Monday. Plaintiff questioned SGT Luke whom recorded him while they spoke on Plaintiff's Grievs, if SGT Luke and other employees of the Jail had stopped his mail from going out of the institution. Plaintiff asserts that he was not easily persuaded and still believed that SGT Luke had tampered with his mail to the "Sheriff" and the "South Carolina Jail Association". Plaintiff asserts that it was Monday and SGT Luke had his letter which was sent to the Sheriff which the

IV. STATEMENT OF CLAIM - continued. 2

knows that there is a mail process within the Jail and the Post office, and that SGT Luke could not even look at him when he stated that true information. Plaintiff states that SGT Luke talked with him on record for 1 hour and 45 minutes. Plaintiff claims that SGT Luke's biggest concern was that he not write the Sheriff or the South Carolina Jail association any more, and to allow him and other Superior Officers the chance to handle situations in which the Plaintiff were grieving over. Plaintiff states that subsequently after the weeks passed, he received his old envelope and letter to the "South Carolina Jail association," which wasn't too heavy to go through the mail process, also Plaintiff had previously written the agency while he was at the Florence County Detention Center and never did his mail to the South Carolina Jail association come back returned. Plaintiff states when mail is sent to the wrong persons or has the wrong address the Post Office labels the envelope with a large yellow stamp, Plaintiff claims that his envelope did not have the yellow label sticker, but mere words in ink stating "return to sender". Plaintiff formulates that Officials tampered with his mail and tried to cover it up. Plaintiff sues SGT Luke for Federal offenses and Constitution deprivation. Plaintiff also claims that on 11/11/15 Officer Habersham of the Sheriff Al Cannon Detention Center used excessive force, attacking the Plaintiff after the Plaintiff asked him for a finger nail clipper. Plaintiff claims that he stood in front of

IV. STATEMENT OF CLAIM - continued. 2

Officer HaberSham and clipped his finger nails on Caenars. Plaintiff claims after he was finished he gave the finger nail clip back to the Female Officer who grew belligerent with the Plaintiff because he stood over the Co's desk within the "red zone" area. Plaintiff states that the Female Officer said she believed that he had masturbated on his persons, and told him to come to her. Plaintiff asserts that 1) Officer HaberSham is a lower officer. 2) She had not called her superior officer over her, neither did she have another officer present to ensure safety for her sake and the Plaintiff's. 3) Officer HaberSham failed to use gloves, and on video footage it shows Officer HaberSham yanking and pulling on the Plaintiff. Plaintiff asserts that he asked another officer to search him due to Officer HaberSham's excessive force, but was told by Officer HaberSham don't worry I've got something for your little "Axx". Which was verbal abuse use of vulgar language. Plaintiff states that Officer HaberSham ordered that he go within the exit door area of the dorm, which the Plaintiff complied and sat until the SGT came. Plaintiff states that the SGT did not speak with him, but waited until S.O.G officer came and "stated she would view the video footage. Plaintiff states that he was attacked and battered by this incompetent and poorly trained officer, and was subjected to disciplinary segregation, and was sentenced to 70 days without allowance to attend the

IV. STATEMENT OF CLAIM - continued. 3

the hearing, also he was not allowed to know the reasons for which he received a harsh amount of days. Plaintiff states subsequently after receiving 70 days within disciplinary segregation he was brought before a bond Judge and was given a \$20,000.00 Cash Surety bond for battery 3rd, which states that the Plaintiff slapped the ~~Prisoner's~~ ^{Prisoner's} Habershams hand down while she was trying to conduct a search of his persons, and for verbal threats towards staff. Plaintiff asserts that ~~into only~~ these false allegations he had no charges with the Charleston County Detention Center, and that he is being held for Williamsburg County due to his prior civil suits on the Sheriff's department. Plaintiff asserts that never was he a disciplinary problem or had ever opposed as a threat towards officers. Plaintiff states that Officer Habershams intentions were to cause him great suffering when indeed she ~~attacked the Plaintiff~~, using excessive force and vulgar language, which ~~attacked~~ ^{violated} infractured of the Plaintiff's eighth and Fourteenth Amendment Rights. Plaintiff states that (Habershams) used her badge of authority to deprive the Plaintiff of his rights, simultaneously misled law enforcement officers to believe her perjured story, which led to them filing Criminal charges on the Plaintiff on the basis of "Bare Bones" affidavits. Plaintiff sues Sheriff McCann as Respondent Superior. Plaintiff states that he wrote the Sheriff allowing him to know of deprivations. Plaintiff states had the Sheriff corrected his officers he would have

IV. STATEMENT OF CLAIM - continued. 4

never been treated as such. Under Fed. R. Civ. P. 9(b), Plaintiff
 "pleads, through Sheriff Al Cannons individual actions, violated
 the Constitution, encouraging acts of indignant behavior
 failing to correct the discharges of his subordinates, also
 creating rules, policies and regulations that violate the
 Constitution. Wherefore Plaintiff sues each defendant in
 their individual and official capacities, for "deliberate
 indifference" and "reckless disregard" of the Plaintiff's
 Constitutional rights. Plaintiff prays for redress and
 punitive damages to be paid by each defendant in the
 amount of \$150,000.00 each for violations of the
 Plaintiff's eighth and fourteenth Amendment rights,
 for emotional pain, emotional distress, mental anguish,
 inconvenience and reputation. Plaintiff also prays
 for "permanent injunction", to deter officials from
 the tampering of inmate mail and excessive force.
 Plaintiff also asks for termination or suspension
 of each defendant. Plaintiff demands for a
 jury trial.

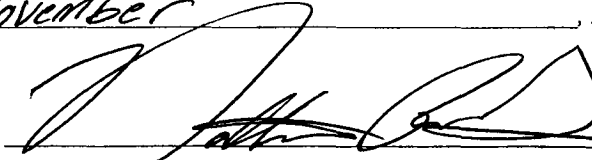
V. RELIEF

State briefly and exactly what you want the court to do for you.

Wherefore Plaintiff prays for "Permanent injunction" to deter defendants from future deprivations of ~~obtaining~~ with Mal or use of excessive force on pre-trial detainees. Plaintiff asks that each defendant be terminated or suspended for Constitutional infractions. Plaintiff also prays for Redress and punitive damages from each defendant for the amount \$150,000.00 each. Plaintiff sues each defendant in their individual and Official Capacities for violations his eighth and Fourteenth Amendment rights, also for emotional pain, emotional distress, Mental anguish, inconvenience and Reputational. Plaintiff demands for a Jury Trial in this civil suit.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 23rd day of November, 2015


Signature of Plaintiff